

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD.

SPECIAL CIVIL APPLICATION NO 4524 OF 1997

For Approval and Signature :

Hon'ble MR. JUSTICE S.K.KESHOTE

1. Whether Reporters of Local Papers may be allowed to see the Order ?

2. To be referred to the Reporter or not?

3. Whether Their Lordships wish to see the fair copy of the Order ?

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge?

SMT. HANSABEN RAJABHAI

VERSUS

THE STATE OF GUJARAT

Appearance:

MS SEJAL MANDAVIA for Petitioner

MR BY MANKAD, AGP for Respondent Nos. 1 & 2

CORAM : MR JUSTICE S.K. KESHOTE

Date of Order : 23/04/99

ORAL JUDGMENT

The respondent No.1 on instruction from the respondent No.2 states that in the first selection the case of the petitioner for her regular appointment in the

category of Class-IV will be considered sympathetically. The petitioner is working as a part time employee in the office of the respondent No.2 and as per her say she has already put more than 14 years service. It is the case of the respondent No.2 that the Advisory Committee had decided to fill up the vacancy of the post of Peon-Watchman (Class-IV) from the part time sweepers, who rendered their services more than 3 years as part time sweepers and possess the requisite qualifications for the post.

From the order of this court dated 21/4/98 it is there that the respondent No.2 has already initiated the proceedings for filling up the post of Class-IV by inviting the applications from the open market. In response to this invitation, admittedly, the petitioner has also applied for the said post but, so far the selection has not been made.

In this selection, the case of the petitioner, as per the statement made by the counsel for the respondent No. 2 will be considered.

The learned counsel for the petitioner, in view of this statement made by the learned counsel for the respondent No.2, prays for withdrawal of this special civil application at this stage with a liberty to revive the same, if necessary. Order accordingly.

The special civil application is dismissed as withdrawn at this stage with liberty to the petitioner for the revival of the same, in case of difficulty. Rule discharged. No orders as to costs.

(S.K.Keshote, J.)

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